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10/758,806	01/16/2004	Luca Lodolo	200400235-1	6495

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EXAMINER	
LE, NHAN T	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/758,806	LODOLO ET AL.	
	Examiner	Art Unit	
	Nhan T. Le	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,9-24,26-32 and 35-39* is/are rejected.

7)☒ Claim(s) *7,8,25,33 and 34* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/16/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-6, 9-24, 26-32, 35-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Shigihara et al (US 5,966,186).

As to claims 1, 16, 27, 30, Shigihara teaches a digital media receiver, comprising: one or more openly visible indicators that display a wireless network signal strength (see fig. 9, numbers s32, s34, col. 10, lines 13-40).

As to claims 2, 17, 28, 29, 31, 39, Shigihara teaches comprising a digital media receiver application component, wherein the one or more openly visible indicators comprise an openly visible indicator (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein the digital media receiver application component classifies the wireless network signal strength into one of a plurality of signal strength levels (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein the digital media receiver application component employs the openly visible indicator to display that the wireless network signal strength is at the one of the plurality of signal strength levels (see fig. 9, numbers s32, s34, col. 10, lines 13-40).

As to claims 3, 18, Shigihara teaches wherein the openly visible indicator comprises a light emitting diode capable of displaying any one of a plurality of colors

associated with the plurality of signal strength levels (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein the digital media receiver application component employs the light emitting diode to display one of the plurality of colors associated with the one of the plurality of signal strength levels (see fig. 9, numbers s32, s34, col. 10, lines 13-40).

As to claims 4, 19, 20, Shigihara teaches wherein the one of the plurality of signal strength levels comprise a first signal strength level, wherein the plurality of signal strength levels comprise a second signal strength level (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein upon a change in the wireless network signal strength from the first signal strength level to the second signal strength level, the digital media receiver application component changes a color of the light emitting diode to display that the wireless network signal strength is at the second signal strength level (see fig. 9, numbers s32, s34, col. 10, lines 13-40).

As to claim 5, Shigihara teaches wherein the plurality of signal strength levels comprise three or more signal strength levels; wherein upon measurement of the wireless network signal strength, the digital media receiver application component classifies the wireless network signal strength into any one of the three or more signal strength levels (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein the digital media receiver application component employs the openly visible indicator to display that the wireless network signal strength is at the one of the three or more signal strength levels (see fig. 9, numbers s32, s34, col. 10, lines 13-40).

As to claim 6, Shigihara teaches further comprising a digital media receiver application component, wherein the one or more openly visible indicators comprise a

plurality of light emitting diodes (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein the digital media receiver application component classifies the wireless network signal strength into a first signal strength level of a plurality of signal strength levels (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein the digital media receiver application component employs a first light emitting diode of the plurality of light emitting diodes to display that the wireless network signal strength is at the first signal strength level (see fig. 9, numbers s32, s34, col. 10, lines 13-40).

As to claim 9, Shigihara teaches wherein the plurality of signal strength levels comprise three signal strength levels, wherein the plurality of light emitting diodes comprise three or more light emitting diodes (see fig. 6, number 18, col. 9, lines 40-50); wherein the digital media receiver application component classifies the wireless network signal strength into any one of the three or more signal strength levels (see col. 10, lines 41-67, col. 11, lines 1-35); wherein the digital media receiver application component employs any one or more of the three or more light emitting diodes to display that the wireless network signal strength is at the one of the three or more signal strength levels (see fig. 6, number 18, col. 9, lines 40-50).

As to claim 10, Shigihara teaches further comprising an antenna and a digital media receiver application component (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein the digital media receiver application component classifies the wireless network signal strength into a first signal strength level of a plurality of signal strength levels (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein the digital media receiver application component sets one or more of the one or more openly visible

indicators to a first indicator state to display that the wireless network signal strength is at the first signal strength level (see fig. 9, numbers s32, s34, col. 10, lines 13-40); wherein a user adjusts a position of the antenna to cause a change in the wireless network signal strength from the first signal strength level to a second signal strength level of the plurality of signal strength levels (see fig. 1b, number 3, col. 7, lines 6-22, col. 10, lines 41-67, col. 11, lines 1-4); wherein upon the change, the digital media receiver application component sets one or more of the one or more openly visible indicators to a second indicator state to display that the wireless network signal strength is at the second signal strength level (see col. 10, lines 41-67, col. 11, lines 1-4).

As to claim 11, Shigihara teaches wherein the antenna comprises an antenna, wherein the user adjusts a position of the antenna to cause a change in the wireless network signal strength from the first signal strength level to the second signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35); wherein upon the change, the digital media receiver application component sets one or more of the one or more openly visible indicators to the second indicator state to display that the wireless network signal strength is at the second signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 12, Shigihara teaches wherein the one or more of the one or more antennas comprise a removable antenna, wherein the user adjusts a position of the removable antenna to cause a change in the wireless network signal strength from the first signal strength level to the second signal strength level (see col. 7, lines 6-21, col. 11, lines 5-35); wherein upon the change, the digital media receiver application

component sets one or more of the one or more openly visible indicators to the second indicator state to display that the wireless network signal strength is at the second signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 13, Shigihara teaches further comprising a digital media receiver application component, wherein the one or more openly visible indicators comprise one or more stand-alone displays (see fig. 1b. number 5, col. 11-5-35); wherein the digital media receiver application component employs the one or more stand-alone displays to allow one or more users to plainly view the wireless network signal strength (see fig. 1b. number 5, col. 11, lines 5-35).

As to claim 14, Shigihara teaches further comprising a digital media receiver application component, wherein the one or more openly visible indicators comprise one or more status indicators (see col. 10, lines 41-67, col. 11, lines 1-4); wherein the digital media receiver application component classifies the wireless network signal strength into one of a plurality of signal strength levels (see col. 10, lines 41-67, col. 11, lines 1-35); wherein the one or more status indicators comprise one or more status sizes, wherein the digital media receiver application component changes one or more of the one or more status sizes to display that the wireless network signal strength is at the one of the plurality of signal strength levels (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 15, Shigihara teaches further comprising a digital media receiver application component (see col. 10, lines 41-67, col. 11, lines 1-35); wherein the digital media receiver application component employs one or more digital media signals obtained through a wireless home network between one or more of a television, an

audio/video receiver to determine the wireless network signal strength (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 21, Shigihara teaches wherein the wireless network signal comprises a video signal, wherein the wireless network signal strength comprises a video signal strength, wherein the signal strength level comprises one of a plurality of video signal strength levels (see col. 10, lines 41-67, col. 11, lines 1-35); wherein the digital media receiver application component obtains the video signal strength from the video signal at the wireless network card (see fig. 1b, number 7, col. 7, lines 47-62); wherein the digital media receiver application component employs the video signal strength to determine the video signal strength level (see col. 11, lines 5-35).

As to claim 22, Shigihara teaches wherein the digital media receiver application component makes a comparison of the video signal strength level with one or more video signal threshold values (see col. 10, lines 41-67, col. 11, lines 1-35); wherein the digital media receiver application component employs the comparison to identify one or more of the one or more video signal threshold values that the video signal strength level surpasses (see col. 10, lines 41-67, col. 11, lines 1-35); wherein the digital media receiver application component employs the one or more of the one or more audio signal threshold values that the video signal strength level surpasses display the video signal strength level with the one or more openly visible indicators (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 23, Shigihara teaches wherein the digital media receiver application component employs the video signal strength level to determine a quality of the video signal (see col. 11, lines 36-67, col. 12, lines 1-5).

As to claim 24, Shigihara teaches wherein the wireless network signal comprises a digital image signal, wherein the wireless network signal strength comprises a digital image signal strength, wherein the signal strength level comprises a digital image signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35); wherein the digital media receiver application component obtains the digital image signal strength from the digital image signal at the wireless network card (see fig. 1b, number 7, col. 7, lines 47-62); wherein the digital media receiver application component employs the digital image signal strength to determine the digital image signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 26, Shigihara teaches wherein the digital media receiver application component employs the digital image signal strength level to determine a quality of the digital image signal (see col. 11, lines 36-67, col. 12, lines 1-5).

As to claim 32, Shigihara teaches wherein the one or more of the audio signal threshold value, the video signal threshold value, and the digital image signal threshold value comprise one or more of a first audio signal threshold value, a first video signal threshold value, and a first digital image signal threshold value, wherein the step of making the comparison of the one or more of a plurality of audio signal strength levels, a plurality of video signal strength levels, and a plurality of digital image signal strength levels with the one or more of the audio signal threshold value, the video signal

threshold value, and the digital image signal threshold value comprises the steps of: making the comparison of the one or more of the plurality of audio signal strength levels, the plurality of video signal strength levels, and the plurality of digital image signal strength levels with the first audio signal threshold value, the first video signal threshold value, and the first digital image signal threshold value respectively (see col. 10, lines 41-67, col. 11, lines 1-35); employing the comparison to determine if the one or more of the plurality of audio signal strength levels, the plurality of video signal strength levels, and the plurality of digital image signal strength levels surpass the first audio signal threshold value, the first video signal threshold value, and the first digital image signal threshold value respectively (see col. 10, lines 41-67, col. 11, lines 1-35); and displaying one or more of the one or more of the plurality of audio signal strength levels, the plurality of video signal strength levels, and the plurality of digital image signal strength levels that surpass the first audio signal threshold value, the first video signal threshold value, and the first digital image signal threshold value with one or more of the one or more openly visible indicators at a first indicator state (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 35, Shigihara teaches wherein the one or more wireless network signals comprise a wireless network signal, wherein the one or more of the plurality of signal strength levels comprise a signal strength level, wherein the step of classifying the one or more wireless network signals employable by the digital media receiver into the one or more of the plurality of signal strength levels comprises the steps of: obtaining a wireless network signal strength of the wireless network signal from a

wireless network card (see fig. 1b, number 7, col. 7, lines 47-62); and employing the wireless network signal strength to determine the signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 36, Shigihara teaches wherein the step of employing the wireless network signal strength to determine the signal strength level comprises the steps of: classifying the wireless network signal strength into the signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35); and displaying that the wireless network signal strength is at the signal strength level with one or more of the one or more openly visible indicators at a first indicator state (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 37, Shigihara teaches wherein the signal strength level comprises a first signal strength level, the method further comprising the steps of: classifying the wireless network signal strength into a second signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35); and displaying that the wireless network signal strength is at the second signal strength level with one or more of the one or more openly visible indicators at a second indicator state upon the wireless network signal strength changing to the second signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35).

As to claim 38, Shigihara teaches wherein the signal strength level comprises a first signal strength level, wherein the step of classifying the wireless network signal strength into the signal strength level comprises the steps of: classifying the wireless network signal strength into a second signal strength level upon a user repositioning one or more antennas (see col. 10, lines 41-67, col. 11, lines 1-35); and displaying that

the wireless network signal strength is at the second signal strength level with one or more of the one or more openly visible indicators at a second indicator state upon the wireless network signal strength changing to the second signal strength level (see col. 10, lines 41-67, col. 11, lines 1-35).

Allowable Subject Matter

Claims 7, 8, 25, 33, 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 7, the applied reference fails to teach wherein the plurality of signal strength levels comprise the first signal strength level, a second signal strength level, and a third signal strength level; wherein the first light emitting diode is capable of displaying a first color associated with the first signal strength level, wherein the plurality of light emitting diodes comprise a second light emitting diode capable of displaying a second color associated with the second signal strength level and a third light emitting diode capable of displaying a third color associated with the third signal strength level; wherein the digital media receiver application component activates the first light emitting diode if the wireless network signal strength is at the first signal strength level, the second light emitting diode if the wireless network signal strength is at the second signal strength level, and the third light emitting diode if the wireless network signal strength is at the third signal strength level as cited in the claim.

As to claim 25, the applied reference fails to teach wherein the digital media receiver application component makes a comparison of the digital image signal strength

level with one or more video signal threshold values; wherein the digital media receiver application component employs the comparison to identify one or more of the one or more video signal threshold values that the digital image signal strength level surpasses; wherein the digital media receiver application component employs the one or more of the one or more audio signal threshold values that the digital image signal strength level surpasses to display the digital image signal strength level with the one or more openly visible indicators as cited in the claim.

As to claim 33, the applied reference fails to teach wherein the one or more of the audio signal threshold value, the video signal threshold value, and the digital image signal threshold value comprise one or more of a second audio signal threshold value, a second video signal threshold value, and a second digital image signal threshold value, the method further comprising the steps of: making the comparison of the one or more of the plurality of audio signal strength levels, the plurality of video signal strength levels, and the plurality of digital image signal strength levels with the second audio signal threshold value, the second video signal threshold value, and the second digital image signal threshold value respectively; employing the comparison to determine if the one or more of the plurality of audio signal strength levels, the plurality of video signal strength levels, and the plurality of digital image signal strength levels surpass the second audio signal threshold value, the second video signal threshold value, and the second digital image signal threshold value respectively; and displaying one or more of the one or more of the plurality of audio signal strength levels, the plurality of video signal strength levels, and the plurality of digital image signal strength levels that

surpass the second audio signal threshold value, the second video signal threshold value, and the second digital image signal threshold value with one or more of the one or more openly visible indicators at a second indicator state as cited in the claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zahm et al (US 7,034,898) teaches mobile television receiver.

Tanaka (US 2006/0067442) teaches digital wireless receiver using antenna diversity method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Le whose telephone number is 571-272-7892. The examiner can normally be reached on 08:00-05:00 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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